

7791-0052-25



#38
4-17-01

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Michael C. SCROGGIE et al : GROUP ART UNIT: 2163

SERIAL NO. 08/873,974 :

3rd CPA FILED: MARCH 2, 2001 : EXAMINER: ROBINSON-BOYCE, A.

FOR: SYSTEM AND METHOD :
FOR DISTRIBUTING
INFORMATION ...

REMARKS IN SUPPORT OF 37 CFR §1.131 DECLARATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

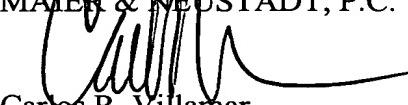
SIR:

Further to the Official Action mailed March 9, 2001, and further to the telephone discussion with Examiner Robinson-Boyce on April 3, 2001, declarations from the child case serial number 09/505,632 of Michael C. Scroggie and Noel Heal under 37 CFR §1.131 including Exhibits A and B are submitted herewith.

Applicants submit that the declarations of Michael C. Scroggie and Noel Heal under 37 CFR §1.131 including Exhibits A and B establish that Allsop et al, U.S. Patent No. 5,970,472, filed May 13, 1997, is not prior art.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Carlos R. Villamar
Registration No. 43,224



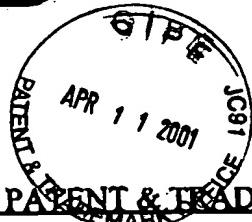
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7791-0103-25X CONT
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

Michael C. SCROGGIE et al

: EXAMINER: ROBINSON-BOYCE, A.

SERIAL NO: 09/505,632

:

FILED: February 16, 2000

: GROUP ART UNIT: 2163

**FOR: SYSTEM AND METHOD FOR
DISTRIBUTING INFORMATION...**

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

37 CFR §1.131 DECLARATION OF MICHAEL C. SCROGGIE

(1) I, David A. Rochon, David W. Banker and Will Gardenswartz, are the inventors named in the above-noted U.S. Patent Application Serial No. 09/505,632 entitled "SYSTEM AND METHOD FOR DISTRIBUTING INFORMATION THROUGH COOPERATIVE NETWORK SITES," which is a continuation application of U.S. Patent Application Serial No. 08/873,974, filed on June 12, 1997, now allowed.

(2) We conceived of the invention disclosed in the present application prior to May 13, 1997 and the present invention was constructively reduced to practice on the June 12, 1997, filing date of the U.S. Patent Application Serial No. 08/873,974.

(3) Exhibit A is a copy of a letter and an attachment to the letter including an initial invention disclosure and drawings for the 08/873,974 application that I sent to patent attorney Mr. Noel Heal prior to May 13, 1997.

(4) Exhibit B is a copy of billing records from Mr. Noel Heal reflecting work performed in preparation and filing of the 08/873,974 application.

(5) I and Mr. Banker discussed the invention of the 08/873,974 application with Mr. Heal

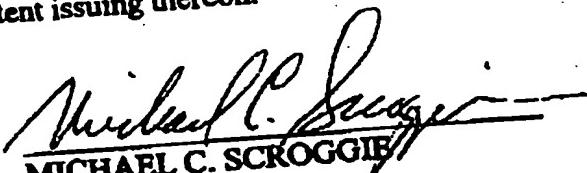
prior to May 13, 1997, I discussed a draft of the 08/873,974 application with Mr. Heal on June 9, 1997 and I and Mr. Gardenswartz discussed a revised draft of the 08/873,974 application with Mr. Heal on June 10, 1997.

(6) A final draft of the 08/873,974 application was filed on June 12, 1997.

(7) I swear under penalty of perjury that the foregoing statements are true and correct, and I am aware that any willful false statements are punishable by fine or imprisonment, or both, pursuant to 18 USC 1001 and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.

1/26/01

DATE


MICHAEL C. SCROGGIE

Printed: January 25, 2001
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